

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**

**CITY OF MEMPHIS**

**October 6, 2015**

**3:30 P.M. SCHEDULED SESSION**

**3:30 P.M. MEETING COMMENCED**

**ROLL CALL:** Berlin Boyd, William Boyd, Harold Collins, Kemp Conrad, Alan Crone, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Bill Morrison and Jim Strickland. Joe Brown and Chairman Myron Lowery were absent.

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Walter Broady. Councilman Collins presented Mr. Broady with a certificate naming him Chaplain of the day.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

**MINUTES**

**Approval of the Minutes of the regular meeting of September 15, 2015 with the following motion:**

**MOTION:** Morrison  
**SECOND:** Crone  
**AYES:** B. Boyd, W. Boyd, Collins, Crone, Halbert, Morrison, Strickland and Vice  
Chairman Conrad  
Fullilove abstained  
Ford and Hedgepeth did not cast a vote  
Brown and Chairman Lowery were absent

**APPROVED**

3. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 184 A.W. WILLIS AVENUE, ON THE NORTHEAST CORNER OF A.W. WILLIS AVENUE AND THIRD STREET, CONTAINING 0.428 ACRE IN AN AREA CURRENTLY GOVERNED BY A VACANT CONVENIENCE STORE IN THE MIXED USE (MU) ZONE IN THE UPTOWN DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. SUP 15-212

Held until October 20, 2015

4. **RESOLUTION THAT THE CITY OF MEMPHIS APPROVES CENTER CITY REVENUE FINANCE CORPORATION USING UP TO \$10,000,000.00 FROM THE PILOT EXTENSION FUND FOR THE LOAN TO DOWNTOWN PARKING AUTHORITY FOR THE PURPOSE OF CONSTRUCTING A PUBLIC PARKING FACILITY AS AN INTEGRAL PART OF THE ONE BEALE DEVELOPMENT. THIS RESOLUTION IS SPONSORED BY EXECUTIVE DIVISION.**

MOTION: Halbert

SECOND: B. Boyd

AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Vice Chairman Conrad  
Brown and Chairman Lowery were absent

**APPROVED**

5. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTH SIDE OF ALICE AVENUE; +/-422.32' EAST OF INTERSECTION WITH ALTON AVENUE, CONTAINING 5.86 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-6) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. SUP 15-217

Applicant: Porter-Leath (Sean Lee)  
The Pickering Firm (Harvey Matheny) – Representative

Request: Day Care Center

LUCB and OPD recommendation: APPROVAL, with conditions

**No Opposition at LUCB; No Public Hearing Required**

MOTION: Collins

SECOND: B. Boyd

AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Vice Chairman Conrad  
Brown and Chairman Lowery were absent

**APPROVED**

6. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF MCKEE ROAD AND SEDGWICK STREET, CONTAINING 0.37 ACRE (16,117 SQ. FT.) IN THE EMPLOYMENT (EMP) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. PD 15-314

Applicants: Corry & Kenny Evans  
Smith Building Design & Associates, LLC

Request: Planned development to re-establish a day care, including group living, educational facility and limited Employment (EMP) District land uses

LUCB and OPD recommendation: APPROVAL, with conditions

**No Opposition at LUCB; No Public Hearing Required**

MOTION: Collins  
SECOND: W. Boyd  
AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Vice Chairman Conrad  
Brown and Chairman Lowery were absent

**APPROVED**

7. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE AS ADOPTED BY THE CITY OF MEMPHIS ON AUGUST 10, 2010 AND BY SHELBY COUNTY ON AUGUST 9, 2010, AS AMENDED, TO REVISE AND ENHANCE THE JOINT ZONING AND SUBDIVISION REGULATIONS AS RECOMMENDED BY THE MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT AND THE LAND USE CONTROL BOARD, UP FOR T H I R D AND F I N A L READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. ZTA 15-002cc  
Ordinance No. 5600

Applicant: Memphis and Shelby County Office of Planning & Development  
Josh Whitehead, Planning Director – Representative

Request: Adopt amendments to the Memphis and Shelby County Unified Development Code

LUCB and OPD recommendation: APPROVAL

**NO NOTICES REQUIRED**

MOTION: Collins  
SECOND: Fullilove  
AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Halbert, Hedgepeth,  
Morrison, Strickland and Vice Chairman Conrad  
Brown and Chairman Lowery were absent

**APPROVED**, as amended

**CONSENT AGENDA – Items 9-13 and 32 may be acted upon by one motion: SEE PAGE 3475  
FOR ROLL CALL**

9. **ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE AS ADOPTED BY THE CITY OF MEMPHIS ON AUGUST 10, 2010 AND BY SHELBY COUNTY ON AUGUST 9, 2010, AS AMENDED, TO REVISE AND ENHANCE THE JOINT ZONING AND SUBDIVISION REGULATIONS AS RECOMMENDED BY THE MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING & DEVELOPMENT AND THE LAND USE CONTROL BOARD. THIS TEXT AMENDMENT AFFECTS ALL PROPERTY WITHIN THE CITY OF MEMPHIS AND UNINCORPORATED SHELBY COUNTY, UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. ZTA 15-003cc  
Ordinance No. 5603

**APPROVED**, on First reading

10. **ORDINANCE REZONING THE NORTHEAST CORNER OF ST. JUDE PLACE AND DANNY THOMAS OVERPASS, CONTAINING 4.88 ACRES IN THE HDR (HIGH DENSITY RESIDENTIAL) ZONING DISTRICT, UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. Z 15-105  
Ordinance No. 5604

**APPROVED**, on First reading

11. **ORDINANCE REZONING 148, 150, 155 AND 156 N. TUCKER STREET, CONTAINING 0.848 ACRE IN THE RU-3 ZONING DISTRICT, UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. Z 15-106  
Ordinance No. 5605

**APPROVED**, on First reading

12. **ORDINANCE REZONING 795 SOUTH COOPER STREET; BEING THE WEST SIDE OF SOUTH COOPER STREET, NORTH OF ELZEY AVENUE, EXTENDING NORTH TO THE CSX RAILROAD ROW, CONTAINING CHAIRMAN, 0.557 ACRE IN THE COMMERCIAL MIXED USE (CMU-1) DISTRICT, UP FOR S E C O N D READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. Z 15-103  
Ordinance No. 5602

**APPROVED**, on Second reading

13. **NOTATION FROM THE LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. PD 15-321 – Germantown Market P.D.

Public Hearing set for October 20, 2015

32. **RESOLUTION DESIGNATING AND EMPOWERING THE MEMPHIS HOUSING AUTHORITY TO HOLD THE STATUTORILY MANDATED PUBLIC HEARING ON THE NECESSITY OF THE ADOPTION OF THE REDEVELOPMENT PLAN FOR THE RALEIGH SPRINGS MALL AREA, KNOWN AS THE RALEIGH SPRINGS MALL URBAN RENEWAL PLAN. THIS RESOLUTION IS SPONSORED BY HOUSING AND COMMUNITY DEVELOPMENT.**

**APPROVED**

### **ROLL CALL CONSENT ITEMS**

MOTION: Collins  
SECOND: B. Boyd  
AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Halbert, Morrison,  
Strickland and Vice Chairman Conrad  
Hedgepeth did not cast a vote  
Brown and Chairman Lowery were absent

**APPROVED**

8. **ORDINANCE REZONING THE NORTH SIDE OF SUMMER AVENUE; +/-225 FEET WEST OF VAUGHN AVENUE, CONTAINING 0.55 ACRE IN THE RESIDENTIAL SINGLE FAMILY (R-6) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

**THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. Z 15-102  
Ordinance No. 5601

Applicant: Belinda P. Thompson & Bernie J. Brown, Trustee  
Winchester Law Firm – Rick Winchester – Representative

Request: Commercial Mixed Use (CMU-1) District

LUCB and OPD recommendation: APPROVAL

MOTION: Collins  
SECOND: W. Boyd  
AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Morrison, Strickland and Vice Chairman Conrad  
Halbert and Hedgepeth did not cast a vote  
Brown and Chairman Lowery were absent

**APPROVED**

Vice Chairman Conrad stated that without objection, we will have same night minutes for items 32 and 33. There was no objection.

33. **RESOLUTION APPROPRIATING \$175,000.00 IN CONTRACT CONSTRUCTION FUNDED BY G.O. BONDS FOR CLOUD 901 TEEN LEARNING LAB – AN 8,300 SQUARE FOOT SPACE IN THE BENJAMIN L. HOOKS CENTRAL LIBRARY, CIP PROJECT NUMBER PK08034. THIS RESOLUTION IS SPONSORED BY PARK SERVICES.**

MOTION: W. Boyd  
SECOND: Ford  
AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Vice Chairman Conrad  
Brown and Chairman Lowery were absent

**APPROVED****FISCAL CONSENT – Items 14-16 may be acted upon by one motion:**

14. **RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF \$250.00 FROM SOUTH MAIN ASSOCIATION, AS AWARDED TO THE CITY OF MEMPHIS POLICE DEPARTMENT SOUTH MAIN STATION TO SUPPORT OPERATIONAL ACTIVITIES. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES.**

**APPROVED**

15. **RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF \$100.00 FROM A-1 ELECTRICAL CONTRACTORS AS AWARDED TO THE CITY OF MEMPHIS POLICE DEPARTMENT TO SUPPORT POLICE SERVICES' RAINES PRECINCT. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES.**

**APPROVED**

16. **RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF \$100.00 FROM SYCAMORE VIEW HOSPITALITY, LLC, AS AWARDED TO THE CITY OF MEMPHIS POLICE DEPARTMENT APPLING STATION TO SUPPORT OPERATIONAL ACTIVITIES. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES.**

**APPROVED**

**ROLL CALL FISCAL CONSENT**

MOTION: Ford  
SECOND: Morrison  
AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Halbert, Morrison, Strickland and  
Vice Chairman Conrad  
Fullilove and Hedgepeth did not cast a vote  
Brown and Chairman Lowery were absent

**APPROVED**

**MLGW FISCAL CONSENT – ITEMS 17-24 may be acted upon by one motion:**

17. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11699, LARGE DIAMETER DIRECTIONAL DRILLING, WITH MEMPHIS ROAD BORING COMPANY, INCORPORATED, IN THE FUNDED AMOUNT OF \$992,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD NOVEMBER 10, 2015 THROUGH NOVEMBER 9, 2016, WHICH REFLECTS NO INCREASE IN RATES FROM THE PREVIOUS YEAR. IN ADDITION, THIS RENEWAL INCLUDES A CHANGE IN THE ESTIMATED QUANTITY OF BOTH UNITS. THE ESTIMATED QUANTITIES REFLECT THE VOLUME OF WORK PROJECTED DURING THE RENEWAL PERIOD.)**

**APPROVED**

18. **RESOLUTION AWARDED A CONTRACT TO SENSIT TECHNOLOGIES, FOR THE PURCHASE OF MULTIPLE GAS DETECTORS, IN THE AMOUNT OF \$272,680.00.**

**APPROVED**

19. **RESOLUTION AWARDING A THIRTY-SIX MONTH CONTRACT TO RUFFIN AND ASSOCIATES, FOR CONCRETE STANDARDS, IN THE AMOUNT OF \$2,432,137.00.**

**APPROVED**

20. **RESOLUTION APPROVING CONTRACT NO. 11830, PLUMBING SERVICES, TO OWENS CONSTRUCTION SERVICES, IN THE FUNDED AMOUNT OF \$550,002.00.**

**APPROVED**

21. **RESOLUTION AWARDING CONTRACT NO. 11750, FLEXIBLE SPENDING ADMINISTRATOR, TO WAGeworks, INCORPORATED, IN THE FUNDED AMOUNT OF \$103,860.00.**

**APPROVED**

22. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11363, GRAPHICAL USER INTERFACE REPLACEMENT SOFTWARE, WITH ROCKET SOFTWARE, IN THE FUNDED AMOUNT OF \$11,018.20. (THIS CHANGE IS TO RENEW THE ANNUAL SUBSCRIPTION FOR LEGASUITE SOFTWARE SUPPORT FOR THE GRAPHICAL USER INTERFACE SOLUTION FOR THE PERIOD COVERING JANUARY 1, 2016 THROUGH DECEMBER 31, 2016.**

**IN ADDITION, THIS RENEWAL INCLUDES A 1.6% INCREASE FROM THE PREVIOUS YEAR DUE TO CHANGES IN THE CONSUMER PRICING INDEX (CPI). MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY ROCKET SOFTWARE.)**

**APPROVED**

23. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 9943, GRAPHICS REPORTING SOFTWARE PACKAGE, WITH ALLEN SYSTEMS GROUP, INCORPORATED (ASG), IN THE FUNDED AMOUNT OF \$36,790.89. (THIS CHANGE IS TO RENEW ANNUAL SOFTWARE MAINTENANCE, LICENSES, AND SUPPORT SERVICES FOR ONE YEAR COVERING THE PERIOD OCTOBER 31, 2015 THROUGH OCTOBER 30, 2016, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY ASG, INCORPORATED.)**

**APPROVED**

24. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 10927, PERPETUAL LICENSING AGREEMENT, WITH PITNEY BOWES SOFTWARE, INCORPORATED, IN THE FUNDED AMOUNT OF \$160,272.00. (THIS CHANGE IS TO UPGRADE FROM THE CURRENT DOC 1 VERSION 4 TO ENGAGEONE. DOC1**



**VERSION 4 HAS REACHED THE END OF ITS USEFUL LIFE AND IS BEING REPLACED WITH ENGAGEONE. CHANGE NO. 4 DATED NOVEMBER 20, 2014 REFLECTED A REQUEST IN THE AMOUNT OF \$100,855.00 FOR THIS UPGRADE; HOWEVER, THE CHANGE ONLY COVERED THE RENEWAL OF THE MAINTENANCE AND SUPPORT SERVICES. THE DOCUMENTS SUBMITTED WITH THE CHANGE REFERENCED MLGW'S INTENT TO UPGRADE TO ENGAGEONE. THE ENGAGEONE PRODUCT HAS THE SAME FUNCTIONALITY AS THE DOC1 VERSION 4, BUT WITH THE CAPABILITY FOR FUTURE EXPANSION.)**

**APPROVED**

**MLGW ROLL CALL CONSENT ITEMS**

MOTION: B. Boyd  
SECOND: Morrison  
AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Halbert, Morrison, Strickland and Vice Chairman Conrad  
Hedgepeth did not cast a vote  
Brown and Chairman Lowery were absent

**APPROVED**

25. **APPOINTMENTS**

**MEMPHIS AND SHELBY COUNTY GROUNDWATER QUALITY CONTROL BOARD**

Reappointment

Karen Blanks Ellis

**MEMPHIS AND SHELBY COUNTY MUSIC COMMISSION**

Appointment

Tiffany Collins

**MEMPHIS STORMWATER BOARD**

Reappointment

Elizabeth Burks

MOTION: Crone  
SECOND: Morrison

AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Halbert, Morrison, Strickland and Vice Chairman Conrad  
Hedgepeth did not cast a vote  
Brown and Chairman Lowery were absent

**APPROVED**

27. **RESOLUTION AMENDING THE FY2016 OPERATING BUDGET BY APPROVING THE AMENDMENT TO ALLOCATE THE GASC LOAN REPAYMENT PROCEEDS IN THE AMOUNT OF \$5,608,000.00 IN ANNUAL INSTALLMENTS OF \$1,194,009.92 AND TO APPROPRIATE THE FUNDS AS ADVISED. THIS RESOLUTION IS SPONSORED BY HOUSING AND COMMUNITY DEVELOPMENT.**

MOTION: Morrison  
SECOND: B. Boyd  
AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Halbert, Morrison and Strickland  
Hedgepeth did not cast a vote  
Vice Chairman Conrad recused  
Brown and Chairman Lowery were absent

**APPROVED**

28. **RESOLUTION ACCEPTING FUNDING IN THE AMOUNT OF \$53,378.73 FROM UNITED WAY OF THE MID-SOUTH THROUGH MEMPHIS LIBRARY FOUNDATION AS REIMBURSEMENT FOR THE DATABASE MANAGER'S SALARY IN THE LINC/2-1-1 DEPARTMENT OF MEMPHIS PUBLIC LIBRARY. THIS RESOLUTION IS SPONSORED BY PARKS AND NEIGHBORHOODS.**

MOTION: W. Boyd  
SECOND: B. Boyd  
AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Halbert, Hedgepeth, Strickland and Vice Chairman Conrad  
Fullilove and Morrison did not cast a vote  
Brown and Chairman Lowery were absent

**APPROVED**

29. **RESOLUTION TRANSFERRING AND APPROPRIATING \$984,375.00 IN FUNDING FOR THE CONSTRUCTION OF FIVE HUNDRED CURB RAMPS THROUGHOUT THE CITY OF MEMPHIS. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS.**

Held until October 20, 2015

30. **RESOLUTION TRANSFERRING AND APPROPRIATING \$947,965.00 IN FUNDING FOR THE CONSTRUCTION OF FOUR HUNDRED SEVENTY-FIVE CURB RAMPS THROUGHOUT THE CITY OF MEMPHIS. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS.**

Held until October 20, 2015

31. **RESOLUTION AMENDING THE FY2016 CAPITAL IMPROVEMENT BUDGET BY ACCEPTING GRANT FUNDS IN THE AMOUNT \$430,074.80 FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) AND ESTABLISHING AN ALLOCATION IN WALKER AVENUE STREETScape PHASE-2, PROJECT NUMBER PW04103 FOR CONSTRUCTION/RECONSTRUCTION OF SIDEWALKS, LIGHTING, LANDSCAPING ALONG WALKER AVE. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS.**

MOTION: Hedgepeth

SECOND: Strickland

AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Vice Chairman Conrad  
Brown and Chairman Lowery were absent

**APPROVED**

**MINUTES**

Approval of the Minutes of the regular meeting of October 6, 2015 for Items 32 and 33 only with the following motion:

MOTION: Fullilove

SECOND: Crone

AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Fullilove, Hedgepeth, Morrison, Strickland and Vice Chairman Conrad  
Halbert did not cast a vote  
Brown and Chairman Lowery were absent

**APPROVED.** Set up as Special Item #1

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

Chairman Lowery recognized the following people who spoke from the audience:

Cathie Auxier, 10840 Monterey Forest Cove, Eads, TN 38028

Donna Bohannon, 5343 Sea Isle, Memphis, TN 38119

Walter Broady, 4256 Ledbetter Cv., Memphis, TN 38109

Min. Suhkara Yahweh, 870 E. McLemore, Memphis, TN 38106

**ADJOURNED MEETING AT 4:38 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

\_\_\_\_\_  
CHAIRMAN

Attest:

\_\_\_\_\_  
Deputy Comptroller/Council Records